



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(122)

CRM-M-49427-2021(O&M)

DATE OF DECISION:04.12.2024

Smt. Nisha Mittal

.....Petitioner

VERSUS

Central Bureau of Investigation and another

.....Respondents

CORAM HON'BLE MR.JUSTICE KULDEEP TIWARI

Present Mr.Vikram Chaudhari, Sr.Advocate,
with Mr. Sajal Bansal, Advocate,
for the petitioner.

Mr.Prateek Gupta, Advocate,
for respondent no.1- CBI.

None for respondent no.2.

KULDEEP TIWARI J,(ORAL)

1. Reply filed by learned counsel for respondent no.1-CBI today in Court, the same is taken on record.

2. Though the instant petition, prayer is made for seeking quashing of case FIR No.RCBD1/2018/E/2009 dated 08.05.2018, under Sections 420, 467, 468, 471 read with Section 120-B IPC, 1860 as amended & 13(2) read with Section 13(1)(d) of PC Act, 1988, P.S CBI, BS&FC, New Delhi (Annexure P-1) and the subsequent proceedings dated 10.08.2020 (Annexure P-2) as also order dated 12.08.2021 (Annexure P-5) of framing of charges.

3. At the very outset, learned counsel for respondent no.1-CBI, has informed this Court that during the pendency of the instant petition before this Court, some of the prosecution witnesses have been examined.



4. Learned senior counsel for the petitioner submits that in view of the above, he does not wish to press the instant petition, however, he seeks liberty to raise all these pleas, which are raised before this Court, before the learned Trial Court concerned at an appropriate stage. Further, he submits that the Co-ordinate Bench of this Court, vide order dated 17.02.2023 has granted relief of exemption from personal appearance to the present petitioner on account of her medical condition. He further submits that the exemption may kindly be made absolute till the decision of the instant trial.

5. The submissions made by learned counsel for the petitioner seems to be bonafide and innocuous.

6. The instant petition is, therefore, **dismissed** as not pressed.

7. The petitioner is at liberty to raise all such pleas which raised before this Court, before the learned Trial Court concerned at an appropriate stage. Further the personal appearance of the petitioner before the learned Trial Court concerned, is exempted subject to the following conditions that;

1. she would be represented by a counsel;
2. she would not dispute recording of evidence in her absence and;
3. she would remain present as and when called upon by the learned Trial Court concerned for any specific purpose.

04.12.2024
mamta

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No